

**STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON**

RESOLUTION NO. 2018-017

**RESOLUTION OF THE CITY OF SOUTH FULTON CONSENTING TO
EXPANSION OF FULTON INDUSTRIAL COMMUNITY IMPROVEMENT
DISTRICT**

(Sponsored by Mayor Edwards)

WHEREAS, by Act of the Legislature, 1987 Ga. L. 5460, as amended, the Georgia Legislature enacted the Fulton County Community Improvement Districts Act; and

WHEREAS, pursuant to said Act, the Fulton Industrial Community Improvement District (hereinafter "CID") was created by Resolution of the Fulton County Commission; and

WHEREAS, subsequent to the creation of the CID, the City of South Fulton (hereinafter "City") was created in a geographical area including real property within the CID, and elected a Mayor and City Council which took office May 1, 2017; and

WHEREAS, a majority of the owners of real property within a proposed expansion area, as attached hereto, which will be subject to taxes, fees, and assessments levied by the District Board, have consented in writing to their inclusion into the CID; and

WHEREAS, the owners of real property within the proposed expansion area of the CID which constitutes at least 75% by value of all real property within said expansion area which will be subject to taxes, fees and assessments levied by the District Board, according to the most recent approved Fulton County ad valorem tax digest, have consented in writing to their inclusion into the CID; and

WHEREAS, the City Council has determined that the expansion of the CID would promote the provision of governmental services and facilities within said District; and

WHEREAS, the City Council has determined that the expansion of the CID would be in the best interest of the citizens of the City.

NOW, THEREFORE, BE IT RESOLVED, that the City of South Fulton consents to the creation of the CID and the expansion of the boundaries of the Fulton Industrial Community Improvement District as attached hereto.

The foregoing RESOLUTION No. **2018-017** adopted on **March 20, 2017** was offered by Councilmember **Willis**, who moved its approval. The motion was seconded by Councilmember **Gilyard**, and being put to a vote, the result was as follows:

| | AYE | NAY |
|--|---------|-------|
| William "Bill" Edwards, Mayor | <hr/> | <hr/> |
| Mark Baker, Mayor Pro Tem | <hr/> √ | <hr/> |
| Catherine Foster Rowell, Mayor Pro Tem | <hr/> √ | <hr/> |
| Carmalitha Lizandra Gumbs | <hr/> √ | <hr/> |
| Helen Zenobia Willis | <hr/> √ | <hr/> |
| Gertrude Naeema Gilyard | <hr/> √ | <hr/> |
| Rosie Jackson | <hr/> √ | <hr/> |
| khalid kamau | <hr/> √ | <hr/> |

THIS RESOLUTION adopted this 20th day of March 2018. CITY OF SOUTH FULTON, GEORGIA.



WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:



MARK MASSEY, CITY CLERK



ITEM# Res2018-017 DATE 3 / 20 / 2018

APPROVED AS TO FORM:



EMILIA C. WALKER, CITY ATTORNEY

**RESOLUTION
OF THE
CITY OF SOUTH FULTON
CONSENTING TO EXPANSION OF
FULTON INDUSTRIAL COMMUNITY IMPROVEMENT DISTRICT**

WHEREAS, by Act of the Legislature, 1987 Ga. L. 5460, as amended, the Georgia Legislature enacted the Fulton County Community Improvement Districts Act; and

WHEREAS, pursuant to said Act, the Fulton Industrial Community Improvement District (hereinafter "CID") was created by Resolution of the Fulton County Commission; and

WHEREAS, subsequent to the creation of the CID, the City of South Fulton (hereinafter "City") was created in a geographical area including real property within the CID, and elected a Mayor and City Council which took office May 1, 2017; and

WHEREAS, a majority of the owners of real property within a proposed expansion area, as attached hereto, which will be subject to taxes, fees, and assessments levied by the District Board, have consented in writing to their inclusion into the CID; and

WHEREAS, the owners of real property within the proposed expansion area of the CID which constitutes at least 75% by value of all real property within said expansion area which will be subject to taxes, fees and assessments levied by the District Board, according to the most recent approved Fulton County ad valorem tax digest, have consented in writing to their inclusion into the CID; and

WHEREAS, the City Council has determined that the expansion of the CID would promote the provision of governmental services and facilities within said District; and

WHEREAS, the City Council has determined that the expansion of the CID would be in the best interest of the citizens of the City.

NOW, THEREFORE, BE IT RESOLVED, that the City of South Fulton consents to the creation of the CID and the expansion of the boundaries of the Fulton Industrial Community Improvement District as attached hereto.

PASSED AND ADOPTED by the South Fulton City Council, Georgia this 20th day of March, 2018.

ATTEST


Mark Massey, City Clerk


William Bill Edwards, Mayor





Fulton County Board of Commissioners
Agenda Item Summary

18-0046

BOC Meeting Date
1/24/2018

Requesting Agency

County Manager

Commission Districts Affected

4

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Resolution authorizing the Chairman to execute a "Written Consent of Owner" form on behalf of Fulton County consenting to the expansion of the Fulton Industrial Community Improvement District (FICID).

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

The Board of the FCICID seeks to expand the boundaries of the FICID pursuant to the provisions of the Fulton County Community Improvement District Act, 1987 Ga. L. 5460, as amended. Fulton County has been asked to consent to the FICID's expansion since Fulton County owns property within the boundaries of the FICID.

Is this Item related to a Strategic Priority Area? *(If yes, note strategic priority area below)*

Yes All People trust government is efficient, effective, and fiscally sound

Is this a purchasing item?

No

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

CID projects are funded solely by additional taxes which CID members elect to assess against themselves. Expansion of the FICID will not cause any diversion of existing County funds or erosion of the tax base.

Fulton County owns the tax parcels identified in Exhibit "A" of the Consent Form. On March 5, 2014 (Item 14-0161), Fulton County, Georgia entered into that certain Participating Ground Lease Option Agreement with Majestic Realty Company, allowing for the proposed development of these Properties located at the Fulton County Airport. The Board for the FICID has requested the County's consent to be included within the expanded boundaries of the FICID due to this ownership interest. Fulton County is a tax exempt entity and therefore will not be subject to taxes collected by the Tax Commissioner on behalf of the Board of the District. Fulton County may however, benefit from the additional infrastructure the FICID is able to fund due the tax revenue raised from commercial tax parcels within the District.

Pursuant to Art. 9, § II of the Georgia Constitution and the Fulton County Community Improvement District Act, 1987 Ga. L. 5460, as amended, the taxes paid by the taxpayers within the FICID can be used for the following purposes: (1) street and road construction and maintenance, including curbs, sidewalks, street lights, and devices to control the flow of traffic on streets and roads; (2) public transportation, including but not limited to, services intended to reduce the volume of traffic or to transport two or more persons in common vehicles or conveyances; (3) stormwater and sewage

| Agency Director Approval | | County Manager's Approval |
|---|--------------|---------------------------|
| Typed Name and Title | Phone | |
| Signature | Date | |
| Richard "Dick" Anderson, County Manager | 404.612.8335 | |
| | | |

18-0046

Continued

collection and disposal systems; development, storage, treatment, purification and distribution of water; parks and recreation areas and facilities; and (4) terminal and dock facilities and parking facilities.

| | |
|--|--|
| Contract & Compliance Information | <i>(Provide Contractor and Subcontractor details.)</i> |
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1 **A RESOLUTION ON BEHALF OF FULTON COUNTY CONSENTING**
2 **TO INCLUSION OF FULTON COUNTY OWNED PROPERTY FOR**
3 **EXPANSION OF THE FULTON INDUSTRIAL COMMUNITY**
4 **IMPROVEMENT DISTRICT**
5

6 **WHEREAS**, by Act of the General Assembly, 1987 Ga. L. 5460, as amended,
7 the Georgia General Assembly enacted the Fulton County Community Improvement
8 Districts Act (Act); and

9 **WHEREAS**, the Board of Commissioners consented to the creation of the Fulton
10 Industrial Community Improvement District (FICID) on October 6, 2010 with approval
11 of Agenda Item 10-1019; and

12 **WHEREAS**, because CID projects are funded solely by additional taxes which
13 CID members elect to assess against themselves, expansion of the FICID will not cause
14 any diversion of existing County funds or erosion of the tax base; and

15 **WHEREAS**, the Board of Commissioners has determined that the expansion of
16 the FICID would be in the best interests of, and would promote the health, safety and
17 welfare of, the citizens of Fulton County;

18 **NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of
19 Fulton County consents to the inclusion of its Properties identified on the attached Written
20 Consent of Owner Form as Exhibit "A" to be included within the expanded boundaries
21 of the FICID, for the provision of the governmental services and facilities as authorized
22 by the Board of Commissioners' October 6, 2010 Resolution that activated the FICID,
23 and that the County Manager is authorized to execute the Written Consent of Owner
24 Form on the County's behalf;


1 **BE IT FURTHER RESOLVED**, that the Clerk to the Commission is directed to
2 forward copies of this Resolution to the Tax Commissioner of Fulton County, Georgia.

3 **BE IT FURTHER RESOLVED**, that this Resolution shall become effective
4 upon its adoption, and that all resolutions and parts of resolutions in conflict with this
5 Resolution are hereby repealed to the extent of the conflict.

6 **SO PASSED AND ADOPTED**, this 24th Day of January, 2018.


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ATTEST:

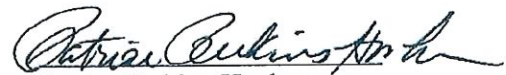

Tonya R. Grier,
Interim Clerk to the Commission



Sponsored By:

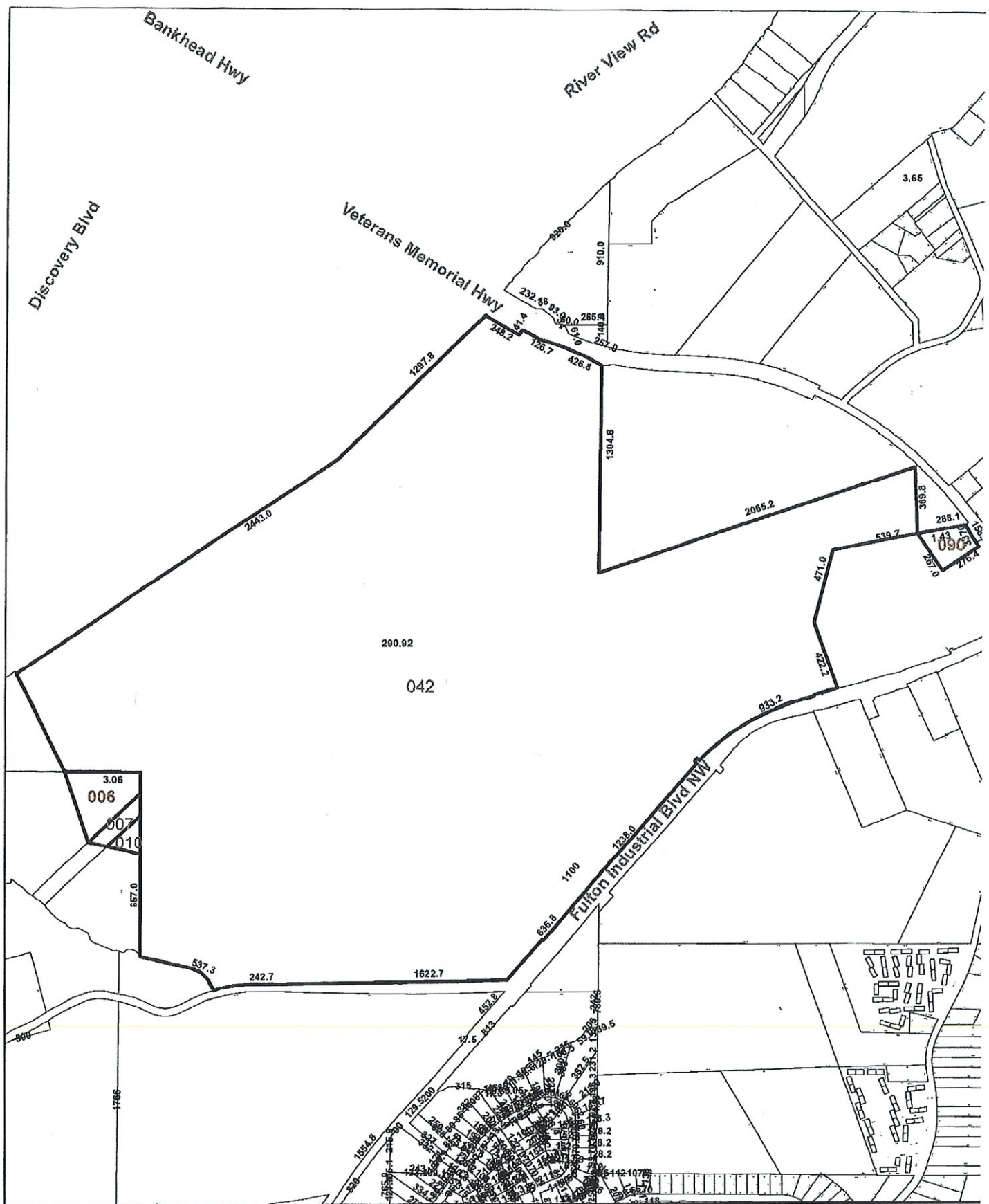

Robert L. Pitts, Chairman
District 7 (At Large)

APPROVED AS TO FORM:


Patrie Perkins-Hooker,
County Attorney



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ITEM # 18-0046 RCS 1, 24, 18
RECESS MEETING



District: 14F
 Landlot: 0017
 Square: LL

2018-0050 After


 Prepared by Fulton County
 Board of Assessors
 Geographic Information System Division

WRITTEN CONSENT


State of Georgia
County of Fulton

Personally appeared before the undersigned attesting officer, duly authorized by law to administer oaths, comes Richard "Dick" Anderson, County Manager for Fulton County, Georgia, who, after first having been duly sworn, upon oath deposes and says:

1. I, Richard "Dick" Anderson, currently hold the position of County Manager for Fulton County, Georgia and am authorized by approval of Item Number 18-0046 by the Fulton County Board of Commissioners at the February 24, 2018 Board of Commissioners to consent to inclusion of the tracts or parcels of land, identified in the tax records and maps for tax year 2018 as the Tax Parcels shown the attached Exhibit "A", of the tax maps of Fulton County, Georgia, hereinafter referred to as the "Properties".
2. **Fulton County, Georgia** holds title to these Properties.
3. This affidavit may be relied upon by the Fulton County Tax Commissioner for the purpose of certifying that subparagraphs (b) (1) and (2) of Section 7 of the above referenced Act have been satisfied, and by the Fulton Industrial Community Improvement District, also known as The Boulevard Improvement District, ("CID"), the City of Atlanta, the City of South Fulton, and the Fulton County Board of Commissioners with respect to the expansion of the CID.
4. The undersigned acknowledges that if the CID is expanded to include the Properties described in paragraph 1, that any improvements to these Properties by a non-tax exempt entity holding a taxable interest in these Properties, will be subject to taxes, fees and assessments levied by the CID Board, and that those taxes, fees and assessments will not be paid by **Fulton County, Georgia**.
5. **Fulton County, Georgia** consents to the expansion of the CID to include the foregoing Properties for the purpose of the provision of such governmental services and facilities as may be allowed under the Fulton County Community Improvement Districts Act.

IN WITNESS WHEREOF, the undersigned has set his hand and seal the day and year set forth below.

Fulton County, Georgia


By: Richard "Dick" Anderson
County Manager

Sworn to and subscribed before
me, this 12th day of February 2018.



DANETTE JOHN
Notary Public
DeKalb County, Georgia
My Commission Expires Jan. 12, 2021

Exhibit A

Tax Parcels

| | | |
|-------------------------|----------------------------------|--------------------|
| 14F-0017-LL-042-9 | 1100 Fulton Industrial Boulevard | 290.92 Acres |
| 14F-0018-LL-006-3 | 0 Bankhead Highway | 3.06 Acres |
| 14F-0018-LL-007-1 | 0 Bankhead Highway | 0.89 Acres |
| 14F-0018-LL-010-5 | 0 Sandy Creek Road | 0.61 Acres |
| <u>17-0267-LL-090-4</u> | <u>3370 Bankhead Highway</u> | <u>1.43 Acres</u> |
| | | 296.91 Acres Total |